

***Remarks***

This Amendment and Reply should be entered after final because it places the claims in condition for allowance and/or reduces the issues for Appeal.

Reconsideration of this Application is respectfully requested.

Claims 1-7 and 9 are sought to be cancelled without prejudice or disclaimer. Applicants reserve the right to claim similar or broader claims in a continuation application. Claim 8 is sought to be amended. Claims 8 and 10-26 are pending in the application, with 8, 10 and 26 being the independent claims.

Based on the above amendments and following remarks, Applicant respectfully requests that the Examiner reconsider all outstanding rejections and that they be withdrawn.

***Provisional Nonstatutory Double Patenting Rejection***

The Examiner has provisionally rejected claims 1-26 under the judicially created doctrine of obviousness-type double patenting for allegedly being unpatentable over claims 1-28 of co-pending Application No. 09/339,506 and claims 40-57 and 60-64 of co-pending Application No. 09/907,902.

Although Applicant disagrees with these rejections, Applicant is submitting Terminal Disclaimers concurrently herewith to overcome the double patenting rejections. Thus, Applicant respectfully requests the Examiner reconsider and withdraw the rejections.

***Rejections under 35 U.S.C. § 102(e)***

Claims 1-8 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,814,425 to Kataoka et al. ("Kataoka"). Applicant traverses these rejections.

Although Applicant disagrees with the rejection, Applicant has amended claim 8 to included the allowable subject matter of claim 9. Accordingly, Applicant respectfully requests that the Examiner reconsider and withdraw the rejection.

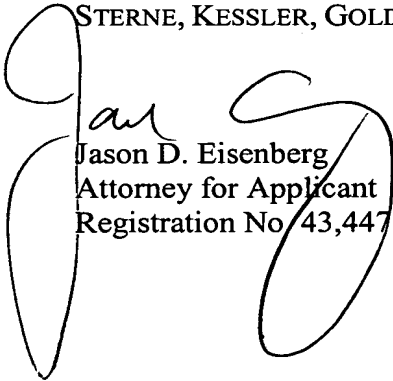
***Conclusion***

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

  
Jason D. Eisenberg  
Attorney for Applicant  
Registration No. 43,447

Date: 8/11/05  
1100 New York Avenue, N.W.  
Washington, D.C. 20005-3934  
(202) 371-2600  
SKGF\_DC1: 431688.1